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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 VERONICA BURBRIDGE,  
12  
13 vs. Plaintiff,  
14 MICHAEL J. ASTRUE, Commissioner of  
Social Security,  
15 Defendant.

CASE NO. 08cv2374 JM(POR)  
ORDER REQUESTING FURTHER  
BRIEFING; SCHEDULING ORDER

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17 Michael J. Astrue ("Commissioner") moves to dismiss the action for lack of subject matter  
18 jurisdiction pursuant to Fed.R.Civ.P. 12(b)(1). Plaintiff did not timely respond to the motion nor did  
19 she serve Defendant with a copy of her late-file opposition, accepted for filing by separate order. In  
20 broad brush, Plaintiff argues that she followed the instructions of employees of the Social Security  
21 Administration in pursuing her administrative remedies. In order to fully develop and address the  
22 issues raised by Plaintiff, the court requests a response from the Commissioner. The Commissioner  
23 is instructed to file a response to Plaintiff's opposition no later than November 20, 2009. At that time,  
24 pursuant to Local Rule 7.1(d)(1), the matter will be taken under submission without oral argument.

25 **IT IS SO ORDERED.**

26 DATED: October 29, 2009

27   
28 Hon. Jeffrey T. Miller  
United States District Judge